

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.44620 of 2016

P.Kasirajan

..

Petitioner

Vs

1.State of Tamil Nadu
Represented by its Home Secretary
Fort St. George,
Chennai - 600 009.

2.The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai - 600 004.

3.The Deputy Inspector General of Police,
Post Box No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to dispose of the representation dated 03.10.2016 to grant notional promotion alongwith consequential monetary and service benefits such as re-fixation of seniority, pay and pension within a time frame.

For Petitioner : Ms.M.Amudha
for M/s.R.Karthikeyan

For Respondents: Mr.K.Dhananjayan,
Special Govt. Pleader

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner would state that he joined the Tamil Nadu Police Service as a Grade II Police Constable on 01.12.1967 and he was promoted to the post of Grade I Police Constable on 15.07.1976 and got his upgradation to the post of Head Constable on 25.04.1984 and further upgradation as Special Sub-Inspector of Police on 27.12.1998 and retired from service on 30.11.2003. The petitioner would aver that on

account of inordinate delay and administrative lapses, the upgradation as Police Constable got delayed and therefore he has been deprived of timely promotion as well as conferment of promotional benefits.

3. The grievance now expressed by the petitioner is that in the event of timely promotion, he would have got promotion at the right time. It is further averred by the petitioner that he came to know that his juniors were also conferred with such kind of benefits and in this regard he has also submitted a detailed representation on 03.10.2016 to the 1st respondent for grant of notional promotion and other consequential benefits. Since it is yet to be disposed of, the petitioner came forward to file the present writ petition.

4. The learned counsel for the petitioner would submit that the matter is squarely covered by the order of this court dated 13.07.2016 in WP No.23849 of 2016 [K.Selvam vs. State of Tamil Nadu, Rep.by its Home Secretary, Fort St.George, Chennai and others] and also drawn attention of this court to the proceedings of the Deputy Inspector General of Police, Tirunelveli Range dated 27.03.2015 which came to be passed based on the compliance of the order of this Court in WP (MD) Nos.2888, 2989 and 4864 of 2011 and therefore prays for appropriate orders.

5. This Court heard the submissions of Mr.K.Dhananjayan, learned learned Special Government Pleader appearing for the respondents.

6. Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, directs the third respondent to consider and dispose of the petitioner's representation dated 03.10.2016, on merits and in accordance with law and pass appropriate orders, within a period of ten (10) weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7. The writ petition stands disposed of with the above direction. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Home Secretary
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

2.The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai - 600 004.

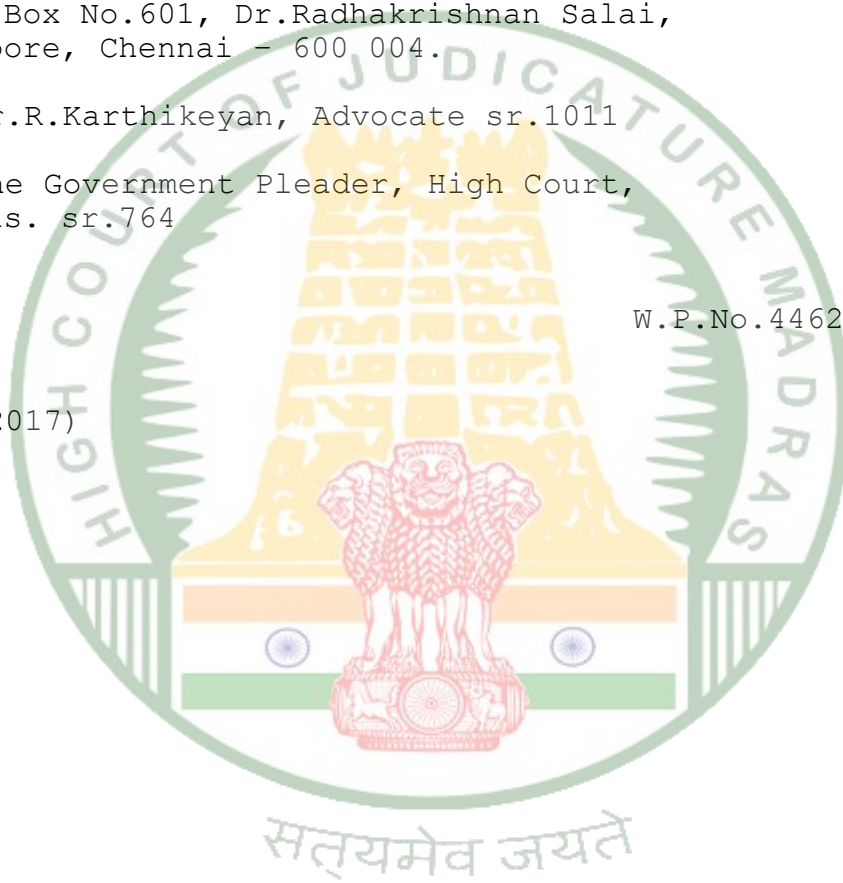
3.The Deputy Inspector General of Police,
Post Box No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

+1cc to Mr.R.Karthikeyan, Advocate sr.1011

+1cc to The Government Pleader, High Court,
Madras. sr.764

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ss (27/01/2017)



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